

1 Douglas Kruschen  
2 P.O. Box 465  
3 Agoura Hills, CA 91376-0465  
4 (818) 927-1040  
5 *(Plaintiff Pro Se)*

**FILED**  
Superior Court of California  
County of Los Angeles

03/07/2023

David W. Slayton, Executive Officer / Clerk of Court

By:           R. Villagonzalo           Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES  
10 UNLIMITED CIVIL

11 DOUGLAS KRUSCHEN,

12 *Plaintiff,*

13 v.

14 ANNANDALE TOWNHOUSE  
15 ASSOCIATION, INC., and STEVEN  
16 RICHARD GITTLEMAN,

17 *Defendants.*

Case No.: 23VECP00088

VERIFIED FIRST AMENDED  
COMPLAINT TO REMOVE  
DIRECTOR STEVEN RICHARD  
GITTLEMAN AND BAR  
REELECTION AND APPOINTMENT  
PURSUANT TO CORPORATIONS  
CODE §7223

Case Filed: February 21, 2023

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20 Plaintiff DOUGLAS KRUSCHEN ("Plaintiff") hereby alleges as follows:

21 **INTRODUCTION**

22 1. This is a verified action by Plaintiff to remove Director STEVEN RICHARD  
23 GITTLEMAN ("GITTLEMAN") from office due to fraudulent or dishonest acts or gross  
24 abuse of authority or discretion with reference to the corporation and bar GITTLEMAN from  
25 reelection and appointment, for a period of time prescribed by the court pursuant to  
26 California Corporations Code §7223, for the financial and legal protection of ANNANDALE  
27 TOWNHOUSE ASSOCIATION, INC., ("Annandale HOA") and its owner members in  
28 furtherance of public policy.

- 1 -

VERIFIED FIRST AMENDED COMPLAINT TO REMOVE DIRECTOR STEVEN RICHARD  
GITTLEMAN AND BAR REELECTION AND APPOINTMENT PURSUANT TO CORPORATIONS CODE  
§7223

1 **PARTIES AND VENUE**

2 2. Plaintiff is the Treasurer of the Annandale HOA’s Board of Directors  
3 (“BOD”) with standing to bring this verified action pursuant to Corporations Code  
4 §7223(b)(1).

5 3. Plaintiff is the Chief Financial Officer of the Annandale HOA.

6 4. Plaintiff is a resident of the County of Los Angeles.

7 5. The Annandale HOA is a seven-acre 292 separate interest unit non-profit  
8 mutual benefit corporation formed under the laws of the State of California in 1973. The  
9 principal place of business for the Annandale HOA is within the City of Agoura Hills in the  
County of Los Angeles.

10 6. GITTLEMAN was appointed to the Annandale HOA BOD on November 15,  
11 2022, and accepted the directorship. At all times mentioned in this complaint, GITTLEMAN  
12 has purported to act as a director for the Annandale HOA pursuant to the bylaws of the  
13 Annandale HOA. The principal place of residence for GITTLEMAN is within the City of  
14 Agoura Hills in the County of Los Angeles.

15 7. Venue in the Central District is proper.

16 **GENERAL ALLEGATIONS**

17 8. The Annandale HOA is California non-profit mutual benefit corporation as  
18 defined by Corporations Code §5059 and is subject to Corporations Code §7223 et seq.

19 9. The Annandale HOA is a Federal Housing Administration (FHA) approved  
20 condominium project (#S000785-001) and is required to adhere to FHA policies including  
21 those regarding rental restrictions, reserve funding, delinquencies, maintenance and upkeep,  
and anti-discrimination.

22 10. Upon information and belief, GITTLEMAN served on the BOD from 2003  
23 until 2020, resigning shortly after being reelected at that year’s annual meeting.

24 11. Upon information and belief, during GITTLEMAN’s lengthy tenure on the  
25 BOD, all BOD received extensive education regarding state and federal fair housing  
26 regulations, fiduciary responsibilities including confidentiality, common interest  
27 development laws, equitable servitudes, protected classes, harassment, hostile environment,  
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1 and quiet enjoyment rights via legal counsel and the Annandale HOA's professional  
2 management company(s).

3 12. Upon information and belief, despite the unpaid volunteer nature of serving on  
4 the BOD, between 2003 and GITTLEMAN's resignation in 2020, GITTLEMAN received  
5 and negotiated checks drawn on the Annandale HOA account(s) made payable to  
6 GITTLEMAN in an aggregate amount exceeding \$269,000.00. (*see Exhibit "A"*)

7 13. On July 19, 2018, during GITTLEMAN's lengthy tenure on the BOD, the  
8 local newspaper, The Acorn, published an anti-Semitic letter to the editor written and  
9 submitted, upon information and belief, by GITTLEMAN. (*see Exhibit "B"*)

10 14. Upon information and belief, despite being indisputable acts of conflict of  
11 interest and self-dealing, between 2003 and GITTLEMAN's resignation in 2020,  
12 GITTLEMAN unilaterally approved Architectural Modification Requests regarding his  
13 separate interest units without a vote of the Architectural Review Committee, without  
14 recusing himself, and without a recording of the vote in the permanent meeting records of the  
15 Annandale HOA as required. (*see Exhibit "C"*)

16 15. During GITTLEMAN's lengthy tenure on the BOD, GITTLEMAN engaged  
17 in tortious defamation, was subsequently sued (Los Angeles County Superior Court Case No.  
18 20STLC07815), unilaterally filed a claim for indemnification under the Annandale HOA's  
19 D&O insurance carrier, consented to judgment, and judgment was entered against  
20 GITTLEMAN. (*see Exhibit "D"*)

21 16. On June 29, 2022, GITTLEMAN sued the Annandale HOA alleging election  
22 impropriety and on August 4, 2022, after oral argument in the contested matter,  
23 GITTLEMAN's case was ordered dismissed by the presiding Hon. Richard Walmark. (*see*  
24 *Los Angeles County Small Claims Case No. 22VESC01331*)

25 17. Despite GITTLEMAN's prior resignation and known acts, in good faith,  
26 GITTLEMAN was appointed to the BOD at his request at a BOD meeting on November 15,  
27 2022, to fill a BOD vacancy when the Annandale HOA failed to reach quorum for its 2022  
28 election in October of that year. Plaintiff, in good faith, participated by voting "yes" to  
appoint GITTLEMAN with the belief GITTLEMAN would comport himself in accordance  
with the fiduciary legal and ethical duties of a directorship.

- 1 18. Upon information and belief, since being appointed, GITTLEMAN has:
- 2 a. Refused to attend any regular and special meetings of the BOD
- 3 b. Refused to attend an organizational meeting of the BOD for position vote
- 4 and assignment
- 5 c. Refused to communicate directly with the other BOD members
- 6 d. Refused to participate in a BOD orientation session with general counsel
- 7 to receive up-to-date legal guidance and continuing education as it relates
- 8 to state and federal fair housing regulations, fiduciary responsibilities
- 9 including confidentiality, common interest development laws, equitable
- 10 servitudes, protected classes, harassment, hostile environment, and quiet
- 11 enjoyment rights
- 12 e. Requested that the other BOD members not communicate with him
- 13 f. Despite a – e, claimed he is being excluded from the BOD
- 14 g. Demanded he be assigned the email address
- 15 “hisroyalhighness@annandale2....”
- 16 h. Used anti-Semitic language in the presence of other Annandale HOA and
- 17 BOD members
- 18 i. Used anti-Muslim language in the presence of other Annandale HOA and
- 19 BOD members
- 20 j. Referred to an Iranian immigrant Annandale HOA Director as a “rag
- 21 head”
- 22 k. Referred to the Annandale HOA vendor employees as “those Mexicans”
- 23 and opined that they should be paid in “pesos” to save money
- 24 l. Contacted vendor(s) and provided direction without quorum authority of
- 25 the BOD
- 26 m. Engaged the Annandale HOA’s general counsel at a cost of \$360/hour
- 27 without quorum authority of the BOD
- 28 n. Obtained the Annandale HOA member email list and repeatedly provided
- false, misleading, and confidential information to the members on the list,
- and has repeatedly provided direction to members counter to quorum

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consensus of the BOD without the required “opt-in” written consent of the recipients

- o. Declared that elections held by the Annandale HOA are “fraudulent”
- p. Created a hostile environment for the BOD and the Annandale HOA vendor employees
- q. Interfered with the quiet enjoyment rights of the Annandale HOA’s members
- r. Posted public, unsanctioned, negative and inflammatory “feedback” on the Yelp.com business page of the Annandale HOA’s professional management company, HOA Organizers, Inc. (“HOAO Management”), tortuously and irreparably interfering with the contractual relationship between HOAO Management and the Annandale HOA (*see Exhibit “E”*)
- s. Retaliated against members and residents of the Annandale HOA for exercising their rights as defined by and in violation of California Civil Code §4515
- t. Discriminated against members and residents of the Annandale HOA by choosing to communicate and engage with some members and choosing to ignore others
- u. Performed other acts and misconduct to be proven at trial.

19. Pursuant to its fiduciary duties and legal obligations to its members, and at its unbudgeted expense, the BOD was forced to cause the Annandale HOA’s general counsel, on or about February 3, 2023, to serve GITTLEMAN a cease and desist demand as a result of his egregious and reckless behavior. (*see Exhibit “F”*)

20. On or about February 6, 2023, HOAO Management informed the BOD that “effective immediately,” and in part as a result of GITTLEMAN’s unequivocally egregious behavior, the Annandale HOA account was being reassigned to a different employee.

21. As of April 1, 2023, HOAO Management will no longer be contractually obligated to the Annandale HOA.

1 22. Vendors have put the Annandale HOA on notice that their witnessing and/or  
2 experiencing same or similar behavior shall be grounds for their immediate contract  
3 termination and possible damage claims to be made against the Annandale HOA.

4 23. Upon information and belief, since being served a confidential cease and  
5 desist demand, GITTLEMAN has failed to comply and knowingly and willfully continues to  
6 perform egregious and negligent acts with reckless disregard for the consequences thereof,  
7 including electronically distributing a copy of the cease and desist, thereby waiving  
8 confidentiality, directly to the Annandale HOA's members.

9 24. GITTLEMAN's racism, misogyny, defamation, protected class harassment,  
10 religious discrimination, and reckless disregard for the safety and welfare of the Annandale  
11 HOA's residents and its members' investments are liabilities threatening the community.

12 25. Upon information and belief, the filing of this verified first amended action  
13 and the relief sought are supported by the President, Secretary, and Vice President of the  
14 BOD.

15 **FIRST CAUSE OF ACTION TO REMOVE DIRECTOR STEVEN RICHARD**  
16 **GITTLEMAN AND BAR REELECTION AND APPOINTMENT PURSUANT TO**  
17 **CORPORATIONS CODE §7223**

18 26. Plaintiff incorporates by reference all foregoing paragraphs of this complaint.

19 27. As to the first cause of action, Plaintiff requests that the Court, pursuant to  
20 Corporations Code §7223, removes Director GITTLEMAN from office due to fraudulent or  
21 dishonest acts or gross abuse of authority or discretion with reference to the corporation and  
22 bar GITTLEMAN from reelection and appointment for a period prescribed by the court for  
23 the financial and legal protection of the Annandale HOA and its owner members.

24 **PRAYER FOR RELIEF**

25 Wherefore, Plaintiff respectfully requests that the Court issue the following relief:

26 1. An order pursuant to Corporations Code §7223 removing GITTLEMAN from  
27 the Annandale HOA Board of Directors.

28 2. An order pursuant to Corporations Code §7223 barring GITTLEMAN from  
reelection and reappointment for a period prescribed by the court in its ultimate discretion.

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3. If either defendant files an opposition to the relief sought, an order of costs and attorney's fees, to the extent authorized by law, against that defendant.

4. Such further and different relief as this Court may deem just and proper.

DATED: March 5, 2023

Respectfully submitted,



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DOUGLAS KRUSCHEN  
*(Plaintiff Pro Se)*

**VERIFICATION**

I, Douglas Kruschen, declare as follows:

*I am the Plaintiff in this matter. I have filed this first amended complaint pursuant to California Corporations Code §7223. I have read the foregoing first amended complaint and know the contents thereof. The matters set forth in the foregoing documents are true of my own knowledge except as to the matters which are therein stated upon my information and belief, and as to those matters, I believe them to be true and I can and will competently testify thereto.*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: March 5, 2023

EXECUTED IN: Agoura Hills, CA



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DOUGLAS KRUSCHEN  
*(Plaintiff Pro Se)*



# Exhibit “A”

| <u>Check Number</u> | <u>Check Date</u> | <u>Vendor Number</u> | <u>Payee</u>    | <u>Amount</u> |
|---------------------|-------------------|----------------------|-----------------|---------------|
| 8477                | 02/18/2009        | 00D027               | Steve Gittleman | \$12,000.60   |
| 8017                | 10/26/2007        | 00D027               | Steve Gittleman | \$10,446.12   |
| 11270               | 08/21/2018        | 00D027               | Steve Gittleman | \$10,397.02   |
| 11171               | 05/10/2018        | 00D027               | Steve Gittleman | \$9,310.57    |
| 8247                | 07/02/2008        | 00D027               | Steve Gittleman | \$8,337.60    |
| 11066               | 01/12/2018        | 00D027               | Steve Gittleman | \$7,336.36    |
| 10965               | 09/19/2017        | 00D027               | Steve Gittleman | \$6,757.98    |
| 10989               | 10/26/2017        | 00D027               | Steve Gittleman | \$6,591.00    |
| 10862               | 05/04/2017        | 00D027               | Steve Gittleman | \$6,565.66    |
| 10949               | 08/28/2017        | 00D027               | Steve Gittleman | \$6,474.90    |
| 11440               | 03/13/2019        | 00D027               | Steve Gittleman | \$6,132.56    |
| 11105               | 02/22/2018        | 00D027               | Steve Gittleman | \$5,810.81    |
| 10902               | 06/27/2017        | 00D027               | Steve Gittleman | \$5,746.96    |
| 11325               | 10/25/2018        | 00D027               | Steve Gittleman | \$5,705.70    |
| 11086               | 02/02/2018        | 00D027               | Steve Gittleman | \$5,603.79    |
| 10932               | 08/08/2017        | 00D027               | Steve Gittleman | \$5,540.82    |
| 10922               | 07/18/2017        | 00D027               | Steve Gittleman | \$5,431.75    |
| 10908               | 07/07/2017        | 00D027               | Steve Gittleman | \$5,267.28    |
| 10925               | 07/28/2017        | 00D027               | Steve Gittleman | \$5,007.12    |
| 8252                | 07/08/2008        | 00D027               | Steve Gittleman | \$4,841.00    |
| 11247               | 07/23/2018        | 00D027               | Steve Gittleman | \$4,475.00    |
| 11699               | 01/21/2020        | 00D027               | Steve Gittleman | \$4,401.90    |
| 10819               | 04/04/2017        | 00D027               | Steve Gittleman | \$3,953.00    |
| 8246                | 07/02/2008        | 00D027               | Steve Gittleman | \$3,755.50    |
| 8150                | 03/12/2008        | 00D027               | Steve Gittleman | \$3,352.00    |
| 8061                | 12/05/2007        | 00D027               | Steve Gittleman | \$3,188.52    |
| 11226               | 06/25/2018        | 00D027               | Steve Gittleman | \$3,124.56    |
| 11200               | 06/06/2018        | 00D027               | Steve Gittleman | \$3,078.50    |
| 8037                | 11/19/2007        | 00D027               | Steve Gittleman | \$2,908.04    |
| 11706               | 02/05/2020        | 00D027               | Steve Gittleman | \$2,907.01    |
| 11017               | 11/21/2017        | 00D027               | Steve Gittleman | \$2,900.00    |
| 11354               | 12/04/2018        | 00D027               | Steve Gittleman | \$2,900.00    |
| 11660               | 12/03/2019        | 00D027               | Steve Gittleman | \$2,900.00    |
| 10703               | 11/21/2016        | 00D027               | Steve Gittleman | \$2,800.00    |
| 9201                | 06/30/2011        | 00D027               | Steve Gittleman | \$2,778.85    |

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|-------|------------|--------|-----------------|------------|
| 10422 | 12/02/2015 | 00D027 | Steve Gittleman | \$2,500.00 |
| 11508 | 05/22/2019 | 00D027 | Steve Gittleman | \$2,485.78 |
| 11201 | 06/06/2018 | 00D027 | Steve Gittleman | \$2,342.34 |
| 8249  | 07/07/2008 | 00D027 | Steve Gittleman | \$2,316.00 |
| 8159  | 03/25/2008 | 00D027 | Steve Gittleman | \$2,275.54 |
| 11738 | 03/09/2020 | 00D027 | Steve Gittleman | \$2,228.71 |
| 11560 | 08/02/2019 | 00D027 | Steve Gittleman | \$2,175.00 |
| 8086  | 01/10/2008 | 00D027 | Steve Gittleman | \$2,102.69 |
| 11749 | 03/16/2020 | 00D027 | Steve Gittleman | \$1,869.31 |
| 8173  | 04/03/2008 | 00D027 | Steve Gittleman | \$1,744.40 |
| 11535 | 06/25/2019 | 00D027 | Steve Gittleman | \$1,725.00 |
| 9766  | 05/09/2013 | 00D027 | Steve Gittleman | \$1,683.99 |
| 9743  | 04/10/2013 | 00D027 | Steve Gittleman | \$1,676.99 |
| 10533 | 04/01/2016 | 00D027 | Steve Gittleman | \$1,575.00 |
| 11249 | 07/26/2018 | 00D027 | Steve Gittleman | \$1,561.56 |
| 9182  | 06/10/2011 | 00D027 | Steve Gittleman | \$1,500.00 |
| 7993  | 10/12/2007 | 00D027 | Steve Gittleman | \$1,485.46 |
| 11629 | 11/06/2019 | 00D027 | Steve Gittleman | \$1,450.00 |
| 9350  | 01/16/2012 | 00D027 | Steve Gittleman | \$1,413.21 |
| 11571 | 08/20/2019 | 00D027 | Steve Gittleman | \$1,350.00 |
| 8188  | 05/01/2008 | 00D027 | Steve Gittleman | \$1,319.00 |
| 11463 | 04/15/2019 | 00D027 | Steve Gittleman | \$1,271.86 |
| 10864 | 05/04/2017 | 00D027 | Steve Gittleman | \$1,122.30 |
| 10809 | 03/23/2017 | 00D027 | Steve Gittleman | \$1,068.08 |
| 11459 | 04/08/2019 | 00D027 | Steve Gittleman | \$1,038.05 |
| 8574  | 05/13/2009 | 00D027 | Steve Gittleman | \$1,000.00 |
| 11443 | 03/20/2019 | 00D027 | Steve Gittleman | \$961.31   |
| 9652  | 12/26/2012 | 00D027 | Steve Gittleman | \$938.01   |
| 8306  | 09/12/2008 | 00D027 | Steve Gittleman | \$935.09   |
| 9256  | 09/13/2011 | 00D027 | Steve Gittleman | \$934.64   |
| 11396 | 01/22/2019 | 00D027 | Steve Gittleman | \$919.47   |
| 9328  | 12/09/2011 | 00D027 | Steve Gittleman | \$900.00   |
| 9621  | 11/26/2012 | 00D027 | Steve Gittleman | \$900.00   |
| 9927  | 12/03/2013 | 00D027 | Steve Gittleman | \$900.00   |
| 10152 | 11/14/2014 | 00D027 | Steve Gittleman | \$900.00   |
| 8377  | 11/11/2008 | 00D027 | Steve Gittleman | \$877.71   |
| 9061  | 12/09/2010 | 00D027 | Steve Gittleman | \$800.00   |

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|-------|------------|--------|-----------------|----------|
| 11057 | 01/09/2018 | 00D027 | Steve Gittleman | \$729.45 |
| 10885 | 06/02/2017 | 00D027 | Steve Gittleman | \$704.70 |
| 9103  | 02/09/2011 | 00D027 | Steve Gittleman | \$688.90 |
| 11374 | 01/09/2019 | 00D027 | Steve Gittleman | \$661.92 |
| 10723 | 12/14/2016 | 00D027 | Steve Gittleman | \$659.28 |
| 10685 | 10/28/2016 | 00D027 | Steve Gittleman | \$648.96 |
| 11104 | 02/22/2018 | 00D027 | Steve Gittleman | \$610.94 |
| 11264 | 08/15/2018 | 00D027 | Steve Gittleman | \$589.82 |
| 11225 | 06/21/2018 | 00D027 | Steve Gittleman | \$555.89 |
| 10757 | 01/24/2017 | 00D027 | Steve Gittleman | \$550.00 |
| 9345  | 01/06/2012 | 00D027 | Steve Gittleman | \$538.32 |
| 11234 | 07/03/2018 | 00D027 | Steve Gittleman | \$515.97 |
| 11319 | 10/18/2018 | 00D027 | Steve Gittleman | \$509.71 |
| 8273  | 08/05/2008 | 00D027 | Steve Gittleman | \$500.00 |
| 8698  | 09/18/2009 | 00D027 | Steve Gittleman | \$500.00 |
| 8024  | 11/08/2007 | 00D027 | Steve Gittleman | \$489.35 |
| 8825  | 02/02/2010 | 00D027 | Steve Gittleman | \$489.34 |
| 11030 | 12/11/2017 | 00D027 | Steve Gittleman | \$459.90 |
| 11689 | 01/07/2020 | 00D027 | Steve Gittleman | \$452.31 |
| 11397 | 01/22/2019 | 00D027 | Steve Gittleman | \$439.14 |
| 11554 | 07/25/2019 | 00D027 | Steve Gittleman | \$424.86 |
| 7971  | 09/19/2007 | 00D027 | Steve Gittleman | \$411.17 |
| 8409  | 12/11/2008 | 00D027 | Steve Gittleman | \$400.00 |
| 8772  | 12/03/2009 | 00D027 | Steve Gittleman | \$400.00 |
| 8782  | 12/21/2009 | 00D027 | Steve Gittleman | \$400.00 |
| 10135 | 10/21/2014 | 00D027 | Steve Gittleman | \$400.00 |
| 10431 | 12/09/2015 | 00D027 | Steve Gittleman | \$400.00 |
| 10083 | 08/04/2014 | 00D027 | Steve Gittleman | \$376.05 |
| 11357 | 12/10/2018 | 00D027 | Steve Gittleman | \$350.00 |
| 11675 | 12/23/2019 | 00D027 | Steve Gittleman | \$350.00 |
| 8556  | 04/23/2009 | 00D027 | Steve Gittleman | \$319.00 |
| 11583 | 09/06/2019 | 00D027 | Steve Gittleman | \$301.54 |
| 11813 | 05/28/2020 | 00D027 | Steve Gittleman | \$301.54 |
| 7886  | 07/23/2007 | 00D027 | Steve Gittleman | \$300.00 |
| 9293  | 10/24/2011 | 00D027 | Steve Gittleman | \$300.00 |
| 9854  | 08/27/2013 | 00D027 | Steve Gittleman | \$300.00 |
| 9882  | 10/02/2013 | 00D027 | Steve Gittleman | \$300.00 |

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|-------|------------|--------|-----------------|----------|
| 10346 | 09/02/2015 | 00D027 | Steve Gittleman | \$300.00 |
| 10538 | 04/08/2016 | 00D027 | Steve Gittleman | \$300.00 |
| 11240 | 07/17/2018 | 00D027 | Steve Gittleman | \$300.00 |
| 11599 | 09/26/2019 | 00D027 | Steve Gittleman | \$300.00 |
| 8047  | 11/21/2007 | 00D027 | Steve Gittleman | \$277.62 |
| 10889 | 06/09/2017 | 00D027 | Steve Gittleman | \$269.69 |
| 10464 | 01/18/2016 | 00D027 | Steve Gittleman | \$262.50 |
| 7853  | 07/12/2007 | 00D027 | Steve Gittleman | \$259.74 |
| 10751 | 01/16/2017 | 00D027 | Steve Gittleman | \$250.00 |
| 10588 | 06/23/2016 | 00D027 | Steve Gittleman | \$245.09 |
| 10823 | 04/12/2017 | 00D027 | Steve Gittleman | \$239.61 |
| 7989  | 10/05/2007 | 00D027 | Steve Gittleman | \$216.05 |
| 10160 | 11/24/2014 | 00D027 | Steve Gittleman | \$201.00 |
| 10054 | 06/30/2014 | 00D027 | Steve Gittleman | \$200.00 |
| 11315 | 10/09/2018 | 00D027 | Steve Gittleman | \$196.89 |
| 7906  | 08/01/2007 | 00D027 | Steve Gittleman | \$166.89 |
| 9262  | 09/22/2011 | 00D027 | Steve Gittleman | \$158.29 |
| 8238  | 07/01/2008 | 00D027 | Steve Gittleman | \$157.81 |
| 10550 | 04/29/2016 | 00D027 | Steve Gittleman | \$150.00 |
| 11109 | 03/02/2018 | 00D027 | Steve Gittleman | \$144.04 |
| 11355 | 12/04/2018 | 00D027 | Steve Gittleman | \$143.28 |
| 8232  | 06/23/2008 | 00D027 | Steve Gittleman | \$110.50 |
| 9423  | 04/12/2012 | 00D027 | Steve Gittleman | \$99.00  |
| 6854  | 05/01/2005 | 00D027 | Steve Gittleman | \$97.41  |
| 9047  | 11/24/2010 | 00D027 | Steve Gittleman | \$96.60  |
| 9196  | 06/21/2011 | 00D027 | Steve Gittleman | \$94.45  |
| 8250  | 07/07/2008 | 00D027 | Steve Gittleman | \$90.00  |
| 8260  | 07/24/2008 | 00D027 | Steve Gittleman | \$90.00  |
| 11411 | 02/11/2019 | 00D027 | Steve Gittleman | \$89.05  |
| 10896 | 06/20/2017 | 00D027 | Steve Gittleman | \$85.58  |
| 9111  | 02/17/2011 | 00D027 | Steve Gittleman | \$85.22  |
| 9068  | 12/17/2010 | 00D027 | Steve Gittleman | \$84.79  |
| 9535  | 08/20/2012 | 00D027 | Steve Gittleman | \$84.59  |
| 9131  | 03/16/2011 | 00D027 | Steve Gittleman | \$83.23  |
| 8961  | 08/19/2010 | 00D027 | Steve Gittleman | \$82.88  |
| 8311  | 09/17/2008 | 00D027 | Steve Gittleman | \$82.84  |
| 9452  | 05/16/2012 | 00D027 | Steve Gittleman | \$82.19  |

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|-------|------------|--------|-----------------|---------|
| 9424  | 04/12/2012 | 00D027 | Steve Gittleman | \$82.09 |
| 8990  | 09/17/2010 | 00D027 | Steve Gittleman | \$81.33 |
| 9469  | 06/13/2012 | 00D027 | Steve Gittleman | \$81.23 |
| 9011  | 10/14/2010 | 00D027 | Steve Gittleman | \$80.37 |
| 9152  | 04/19/2011 | 00D027 | Steve Gittleman | \$79.99 |
| 9151  | 04/18/2011 | 00D027 | Steve Gittleman | \$77.49 |
| 8926  | 06/17/2010 | 00D027 | Steve Gittleman | \$77.27 |
| 9521  | 08/03/2012 | 00D027 | Steve Gittleman | \$75.49 |
| 9083  | 01/14/2011 | 00D027 | Steve Gittleman | \$74.58 |
| 8900  | 05/11/2010 | 00D027 | Steve Gittleman | \$74.21 |
| 8884  | 04/15/2010 | 00D027 | Steve Gittleman | \$73.32 |
| 8940  | 07/13/2010 | 00D027 | Steve Gittleman | \$72.15 |
| 9555  | 09/14/2012 | 00D027 | Steve Gittleman | \$71.99 |
| 9059  | 12/07/2010 | 00D027 | Steve Gittleman | \$70.07 |
| 9642  | 12/13/2012 | 00D027 | Steve Gittleman | \$67.52 |
| 11663 | 12/12/2019 | 00D027 | Steve Gittleman | \$67.50 |
| 9608  | 10/26/2012 | 00D027 | Steve Gittleman | \$66.98 |
| 9620  | 11/19/2012 | 00D027 | Steve Gittleman | \$66.98 |
| 9673  | 01/11/2013 | 00D027 | Steve Gittleman | \$66.63 |
| 9149  | 04/11/2011 | 00D027 | Steve Gittleman | \$65.85 |
| 8779  | 12/16/2009 | 00D027 | Steve Gittleman | \$64.21 |
| 8447  | 01/12/2009 | 00D027 | Steve Gittleman | \$63.32 |
| 8718  | 10/14/2009 | 00D027 | Steve Gittleman | \$62.81 |
| 8628  | 07/16/2009 | 00D027 | Steve Gittleman | \$62.53 |
| 8474  | 02/12/2009 | 00D027 | Steve Gittleman | \$62.21 |
| 8654  | 08/19/2009 | 00D027 | Steve Gittleman | \$61.68 |
| 8692  | 09/15/2009 | 00D027 | Steve Gittleman | \$61.48 |
| 8610  | 06/25/2009 | 00D027 | Steve Gittleman | \$61.27 |
| 8540  | 04/14/2009 | 00D027 | Steve Gittleman | \$60.23 |
| 8575  | 05/14/2009 | 00D027 | Steve Gittleman | \$59.30 |
| 9241  | 08/22/2011 | 00D027 | Steve Gittleman | \$58.61 |
| 8416  | 12/15/2008 | 00D027 | Steve Gittleman | \$57.52 |
| 8804  | 01/14/2010 | 00D027 | Steve Gittleman | \$57.34 |
| 8508  | 03/17/2009 | 00D027 | Steve Gittleman | \$57.09 |
| 8841  | 02/15/2010 | 00D027 | Steve Gittleman | \$55.52 |
| 8860  | 03/12/2010 | 00D027 | Steve Gittleman | \$54.12 |
| 11238 | 07/12/2018 | 00D027 | Steve Gittleman | \$54.05 |

|       |            |        |                 |         |
|-------|------------|--------|-----------------|---------|
| 9193  | 06/20/2011 | 00D027 | Steve Gittleman | \$53.64 |
| 7874  | 07/18/2007 | 00D027 | Steve Gittleman | \$51.07 |
| 8759  | 11/23/2009 | 00D027 | Steve Gittleman | \$50.73 |
| 9396  | 03/01/2012 | 00D027 | Steve Gittleman | \$50.09 |
| 9812  | 07/08/2013 | 00D027 | Steve Gittleman | \$50.00 |
| 9169  | 05/27/2011 | 00D027 | Steve Gittleman | \$48.86 |
| 6702  | 12/20/2004 | 00D027 | Steve Gittleman | \$48.58 |
| 9217  | 07/15/2011 | 00D027 | Steve Gittleman | \$47.26 |
| 9351  | 01/13/2012 | 00D027 | Steve Gittleman | \$40.04 |
| 9846  | 08/07/2013 | 00D027 | Steve Gittleman | \$40.00 |
| 9333  | 12/19/2011 | 00D027 | Steve Gittleman | \$38.98 |
| 8142  | 03/04/2008 | 00D027 | Steve Gittleman | \$37.52 |
| 9310  | 11/16/2011 | 00D027 | Steve Gittleman | \$35.78 |
| 9292  | 10/24/2011 | 00D027 | Steve Gittleman | \$35.66 |
| 9257  | 09/13/2011 | 00D027 | Steve Gittleman | \$35.01 |
| 11272 | 08/27/2018 | 00D027 | Steve Gittleman | \$29.57 |
| 8653  | 08/19/2009 | 00D027 | Steve Gittleman | \$24.00 |
| 7808  | 06/11/2007 | 00D027 | Steve Gittleman | \$23.72 |
| 7080  | 10/24/2005 | 00D027 | Steve Gittleman | \$10.41 |
| 7765  | 05/08/2007 | 00D027 | Steve Gittleman | \$9.18  |

**Total: \$269,726.30**

# Exhibit “B”

<https://www.theacorn.com/articles/doesnt-approve-of-agoura-eruv/>

^



## Doesn't approve of Agoura eruv

*July 19, 2018*

The eruv in our secular community must be taken down. Personal religious nonsense needs to be kept within homes, synagogues and churches, not in public space.

The next thing will be people requesting special permits to put up their Flying Spaghetti Monster statues around the community. The city will have no choice but to grant a permit for them, too.

Either we all can put up our religious nonsense, or no one can. End it now.

**Steve Gittleman**  
**Agoura Hills**



# Exhibit “C”

Annandale Townhouse Association  
ARCHITECTURAL REQUEST FORM

REQUESTOR SECTION

Homeowner Name: Steen Gittleman Driveway Letter: 0  
Address: 28555 Conejo View DR. City, State, Zip: Agoura Hills CA 91301

**REQUEST FOR ARCHITECTURAL APPROVAL** – Refer to the CC&R's and/or Rules & Regulations for additional information.  
(located at [www.annandaleagoura.com](http://www.annandaleagoura.com) under *community documents*)

ITEM DESCRIPTION (Patio Cover, Brick Walkway, Etc.)

One item per request form: \_\_\_\_\_

DETAIL SPECIFICATIONS (Size, Width, Height, Length, Etc.)

wind spinner on patio

Sketch Submitted: \_\_\_\_\_ Plans Submitted: \_\_\_\_\_

Brochure Submitted: \_\_\_\_\_ Picture Submitted:

Detailed Description of Change: \_\_\_\_\_

Colors To Be Used: \_\_\_\_\_

Completed Forms Must Be Submitted By Certified Mail:

Annandale Architectural Committee  
c/o Lordon Management Co.  
31255 Cedar Valley Drive, Suite 202  
Westlake Village, CA 91362

\*\*Or Hand Delivered to a Board Meeting\*\*

\*CONSTRUCTION MUST BE COMPLETED WITHIN 6 MONTHS OF THE DATE OF APPROVAL\*

Homeowner Signature: [Signature]

Date: 8-11-08

APPROVAL SECTION (BOARD ONLY)

Approved as submitted

\_\_\_\_\_  
Approved with the following conditions of change: \_\_\_\_\_

\_\_\_\_\_  
Rejected for the following reasons: \_\_\_\_\_

[Signature]  
AUTHORIZED SIGNATURE

8-14-08  
DATE

Date Returned by Certified Mail to Homeowner: \_\_\_\_\_

# Annandale Townhouse Association

## ARCHITECTURAL REQUEST FORM

### REQUESTOR SECTION

Homeowner Name: Steve Githeman Driveway Letter: D  
Address: 20555 Conero View Dr City, State, Zip: Agoura Hills CA

**REQUEST FOR ARCHITECTURAL APPROVAL** – Refer to the CC&R's and/or Rules & Regulations for additional information.  
(located at [www.annandaleagoura.com](http://www.annandaleagoura.com) under *community documents*)

### ITEM DESCRIPTION (Patio Cover, Brick Walkway, Etc.)

One item per request form: Install Bike Rack on Cement Pad

### DETAIL SPECIFICATIONS (Size, Width, Height, Length, Etc.)

\_\_\_\_\_  
\_\_\_\_\_

Sketch Submitted: \_\_\_\_\_ Plans Submitted: 2

Brochure Submitted: \_\_\_\_\_ Picture Submitted: \_\_\_\_\_

Detailed Description of Change: Bike Rack

Colors To Be Used: Black

Completed Forms Must Be Submitted By Certified Mail:

Annandale Architectural Committee  
c/o Lordon Management Co.  
31255 Cedar Valley Drive, Suite 202  
Westlake Village, CA 91362

**\*\*Or Hand Delivered to a Board Meeting\*\***

**\*CONSTRUCTION MUST BE COMPLETED WITHIN 6-MONTHS OF THE DATE OF APPROVAL\***

Homeowner Signature: [Signature] Date: 3-11-17

### APPROVAL SECTION (BOARD ONLY)

\_\_\_\_\_ Approved as submitted

\_\_\_\_\_ Approved with the following conditions of change: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Rejected for the following reasons: \_\_\_\_\_

AUTHORIZED SIGNATURE: [Signature] DATE: 3-12-17

Date Returned by Certified Mail to Homeowner: \_\_\_\_\_

# Annandale II Homeowners Association

## ARCHITECTURAL REQUEST FORM

**\* CONSTRUCTION MUST BE COMPLETED WITHIN 6-MONTHS OF THE DATE OF APPROVAL\***

### REQUESTOR SECTION

Name: Steve Gittleman Date of Request: 7-1-2018  
Address: 28555 Conejo View DR, Lot #: \_\_\_\_\_  
City, State Zip: Agoura Hills CA 91301

### I. REQUEST FOR ARCHITECTURAL APPROVAL - Refer to your CC&R's and Rules Booklet

#### ITEM DESCRIPTION (Patio Cover, Brick Walkway, Etc.)

One item per request form:

Install Security Cameras on Exterior of unit + car port

#### DETAIL SPECIFICATIONS (Size, Width, Height, Length, Etc.)

9-Cameras w/ cords concealed

Sketch Submitted: \_\_\_\_\_

Plans Submitted:

Brochure Submitted: \_\_\_\_\_

Picture Submitted:

Detailed Description of Change: see above

Color To Be Used: white

Submitted by Certified Mail: Architectural Committee c/o Lordon Management Co.  
31416 Agoura Rd., Ste.105  
Westlake Village, CA 91361

**\*\*Or Hand Deliver to a Board Meeting\*\***

Signature: \_\_\_\_\_

### II. APPROVAL SECTION (COMMITTEE ONLY)

Approved as submitted

Approved with the following conditions of change: \_\_\_\_\_

Rejected for the following reasons: \_\_\_\_\_

AUTHORIZED SIGNATURE \_\_\_\_\_

DATE 7-1-2018

Date Returned by Certified Mail to Homeowner: \_\_\_\_\_

Annandale Townhouse Association

ARCHITECTURAL REQUEST FORM

REQUESTOR SECTION

Homeowner Name: Steve Gittleman

Driveway Letter: H

Address: 28713 Gaer View DR

City, State, Zip: Agoura Hills CA

REQUEST FOR ARCHITECTURAL APPROVAL - Refer to the CC&R's and/or Rules & Regulations for additional information. (located at www.annandaleagoura.com under community documents)

ITEM DESCRIPTION (Patio Cover, Brick Walkway, Etc.)

One item per request form: Install white vinyl window

DETAIL SPECIFICATIONS (Size, Width, Height, Length, Etc.)

Replace Existing window with clear Glass w white vinyl

Sketch Submitted: \_\_\_\_\_

Plans Submitted: \_\_\_\_\_

Brochure Submitted: \_\_\_\_\_

Picture Submitted: L

Detailed Description of Change: \_\_\_\_\_

Colors To Be Used: white vinyl like all the others

Completed Forms Must Be Submitted By Certified Mail:

Annandale Architectural Committee
c/o Lordon Management Co.
31255 Cedar Valley Drive, Suite 202
Westlake Village, CA 91362

\*\*Or Hand Delivered to a Board Meeting\*\*

\*CONSTRUCTION MUST BE COMPLETED WITHIN 6-MONTHS OF THE DATE OF APPROVAL\*

Homeowner Signature: [Signature]

Date: 10-21-19

APPROVAL SECTION (BOARD ONLY)

[Signature] Approved as submitted

Approved with the following conditions of change: \_\_\_\_\_

Rejected for the following reasons: \_\_\_\_\_

AUTHORIZED SIGNATURE [Signature]

DATE 10-21-19

Date Returned by Certified Mail to Homeowner: \_\_\_\_\_

# Exhibit “D”

1 Mr. Douglas Kruschen  
2 P.O. Box 465  
3 Agoura Hills, CA 91376-0465  
4 (818) 927-1040  
5 *(Plaintiff Pro Se)*

**FILED**  
Superior Court of California  
County of Los Angeles

AUG 26 2022

Sherri R. Carter, Executive Officer/Clerk of Court  
By S. Gabb, Deputy  
S. Gabb

6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 COUNTY OF LOS ANGELES – SPRING STREET COURTHOUSE  
9 LIMITED CIVIL CASE

10 DOUGLAS KRUSCHEN, an individual,

Case No.: 20STLC07815

11 *Plaintiff,*

[Assigned for all purposes to:  
The Hon. Katherine Chilton, Dept. 25]

12 v.

**~~PROPOSED~~ FINAL JUDGMENT ON  
PLAINTIFF'S CLAIM**

13 STEVEN RICHARD GITTLEMAN, an  
14 individual; and DOES 1-6, inclusive,

Complaint Filed: September 15, 2020

15 *Defendants.*

16  
17 WHEREAS, the Parties, Plaintiff DOUGLAS KRUSCHEN and Defendant STEVEN  
18 RICHARD GITTLEMAN, by and through their respective counsels of record, and good  
19 cause appearing therefor, request final judgment on Plaintiff's claim for Defamation –  
20 Slander Per Se be entered in Plaintiff's favor.

21 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

- 22 1. This final judgement on Plaintiff's claim for Defamation – Slander Per Se  
23 incorporates the terms of the Offer to Compromise and Acceptance (CIV-090)  
24 filed concurrently herewith.  
25 2. Defendant GITTLEMAN shall have 90-days from the date of entry of this  
26 judgment to satisfy it in full.  
27 3. Plaintiff shall enter Acknowledgment of Satisfaction of Judgment within 30-days  
28 of satisfaction in full.

20220909

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4. This Court shall retain jurisdiction to construe, interpret, implement, and enforce this judgment.

IT IS SO ORDERED AND ADJUDGED. LET JUDGMENT BE FORTHWITH ENTERED ACCORDINGLY.

DATED: August 26, 2022



HON. KATHERINE CHILTON



# Exhibit “E”



**Steven G.**  
Agoura Hills, CA  
📄 0 🌟 23

...

🌟🌟🌟🌟🌟 12/15/2022

Our Association switch from another management company to HOA Organizers. When I contacted our Property Manager, Jennifer Contreras via e-mail, there was no response. When I contacted her by phone, there was no response. After I contacted her Boss, Neda, I finally received a call back from Jennifer. Jennifer claimed that she would get me the back-up documentation that I was requesting. It's been a month of no response.

This is the service that this Management company deliver at twice the price as our old management company....and, I'm on the Board of Directors.

Shop elsewhere for your Association.

👍 Useful

😄 Funny

😎 Cool

# Exhibit “F”



File No.: 3807

February 3, 2023

**NOTICE TO CEASE AND DESIST AND TO COMPLY**

Via U.S. Mail & Certified  
(Return, Receipt Requested)

**Steve Gittleman**  
28555 Conejo View Drive  
Agoura Hills, CA 91301

**RE: ANNANDALE TOWNHOUSE ASSOCIATION, INC.**  
***-Breach of Fiduciary Duty***  
***-Failure to Comply with the Governing Documents***

Dear Mr. Gittleman:

As you know, this firm serves as general legal counsel to Annandale Townhouse Association, Inc. ("Association"). Please direct any and all correspondence, to my attention, at our Woodland Hills address.

I have been informed that you have engaged in conduct that is, at best, inappropriate and runs contrary to your fiduciary obligations as a member of the Board of Directors. Moreover, this pattern of behavior exposes you to liability for defamation, pursuant to California law.

Specifically, since taking your seat on the Board following the 2022 election, you have failed or refused to attend regular meetings, communicate with your fellow directors regularly, and otherwise meet your basic fiduciary duties of care and loyalty. This includes unilaterally reaching out to legal counsel for direction on records and past Board member communications, with no clear legitimate purpose for these requests. You have also disseminated mass communications to the membership via email, which have not otherwise been sanctioned by the Board, and which accuse the Association of holding "year-after-year of fraudulent elections."

What is more, I understand that you have verbally made antisemitic and anti-Muslim slurs while in the presence of other directors.

Contacting vendors and/or the membership unilaterally not only comes at a cost to the Association, but exposes you to personal liability when said communications are not approved by the Board. Additionally, rogue behavior severely undermines your credibility as a Board member and the Board as a whole, and increases liability and unbudgeted expenses for the Association. I understand that the Board has also attempted to work with you to schedule a new Board member "training" with legal counsel, to discuss Board member responsibilities, duties, and the like, but you have refused.

**Steve Gittleman**

February 3, 2023

Page 2

Corporations Code Section 7210 requires an association's affairs to "be exercised by or under the direction of the board." (Emphasis added.) In other words, the Board has **one legal voice, and must act as a whole.** By unilaterally contacting or directing vendors and the membership, you have undermined the Board's authority and disobeyed their directive, which demonstrates a breach of your fiduciary duties to the Association and to the Board.

As an individual director, you owe a fiduciary duty to the Association to act in good faith, in the best interests of the Association, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances. (Corporations Code § 7231.) Additionally, Corporations Code Section 7231.5 provides that board members are protected from liability as long as their action(s) satisfied the following criteria: (1) it was performed in good faith; (2) it was performed in a manner such director believed to be in the best interests of the association; (3) it was performed with such care and reasonable inquiry as an ordinarily prudent person in a like position would use under similar circumstances.

While you are in breach of your fiduciary obligations, you have also exposed yourself to liability for defamation, by accusing the Association, i.e., the Board, of engaging in "fraudulent" behavior. Civil Code Section 45 provides:

**"Libel is a false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye, which exposes any person to hatred, contempt, ridicule, or obloquy, or which causes him to be shunned or avoided, or which has a tendency to injure him in his occupation."**  
(Emphasis added.)

At a minimum, this conduct is tantamount to a nuisance under the CC&Rs. Section 15.2 states:

"Without limiting the generality of the foregoing section, the result of every act or omission whereby any covenant contained in this Declaration is violated in whole or in part is hereby declared to be a nuisance, and every remedy against nuisance, either public or private, shall be applicable against every such act or omission."

Finally, the use of xenophobic or racial slurs/profanity, undermine directors' and other vendors' ability to perform their duties and work in a **hostile-free environment.** These actions create a toxic and unhealthy environment and expose the Association and Board to significant liability claims. California law requires employees to be provided a hostile-free workplace. (*Lyle v. Warner Brothers Television Productions* (2006) 38 Cal.4<sup>th</sup> 264.) Your actions are extremely concerning to the Board. The Association, and Board members, stand exposed to liability claims by Association staff, and their respective employers, arising from your actions.

The federal Fair Housing Act requires associations to take prompt steps to address, investigate, and end claims of discriminatory harassment based on race, color, religion, national origin, sex, familial status, and disability. This includes harassment by owners, residents, guests, board members, managers, or vendors. An association will be liable if it knows or should have known about the conduct and fails to take reasonable steps within its authority to correct and end the discriminatory conduct.

24 CFR Section 100.7(a)(1) *et seq.* provides:

“A person is directly liable for:

(i) The person's own conduct that results in a discriminatory housing practice.

(ii) Failing to take prompt action to correct and end a discriminatory housing practice by that person's employee or agent, where the person knew or should have known of the discriminatory conduct.

**(iii) Failing to take prompt action to correct and end a discriminatory housing practice by a third party, where the person knew or should have known of the discriminatory conduct and had the power to correct it. The power to take prompt action to correct and end a discriminatory housing practice by a third-party depends upon the extent of the person's control or any other legal responsibility the person may have with respect to the conduct of such third-party.** (Emphasis added.)

For purposes of the Association, 24 CFR Section 100.600 (a)(2) defines “hostile environment harassment”, as “unwelcome conduct that is sufficiently severe or pervasive as to interfere with the . . . use or enjoyment of a dwelling.” Thus, the obligation to take action to end violating conduct extends to homeowners associations.

Based on the forgoing, demand is hereby made that you **immediately and permanently cease and desist** from engaging in unauthorized actions, violating the Association's governing documents, making xenophobic or other ethnic/racial slurs or comments, and engaging in rogue or other conduct which amounts to a breach of fiduciary duties to the Association.

You are not being singled out nor discriminated against. Instead, you are given notice of your breach of fiduciary obligations and violations of the governing documents. The Board cannot tolerate your failure to comply. Accordingly, should you fail to comply with the demands set forth, the Board may take the following actions against you:

- Censure,
- Removal from committees (if applicable);
- Request for your resignation from the Board;
- Recall by the membership; and
- Legal proceedings

*Nothing contained herein or omitted from this letter shall be deemed a waiver of any legal rights or remedies, and the Association expressly reserves all of its rights and remedies.*

**Steve Gittleman**  
February 3, 2023  
Page 4

Thank you.

Very truly yours,

**BEAUMONT TASHJIAN**

A handwritten signature in black ink, appearing to read "A.J. Jahanian", written over a faint, light-colored circular stamp or watermark.

A.J. JAHANIAN, ESQ.

AJ:sk  
cc: Board of Directors